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Appl. No. 10/743,774

Reply to Office Action of 19 August 2005

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 19 August 2005. Responsive to the rejections made in the Official Action, Claim 1 has been amended to clarify the combination of elements which form the invention of the subject Patent Application and Claim 8 has been amended to change the dependency thereof. Additionally, Claim 7 has been canceled by this Amendment.

In the Official Action, Claims 1, 7 and 8 were rejected under 35 U.S.C. § 102(b), as being anticipated by Allison et al., U.S. Patent No. 6,116,674.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject patent Application, as now claimed. The invention of the subject Patent Application is directed to a portable casing that includes a hollow body having four sides, a bottom with four edges and four corners, and two cavities defined in one side of the body adjacent the bottom. The portable casing includes two wheel holders mounted respectively in the cavities. Each wheel holder includes a base securely attached in a corresponding one of the cavities and a wheel mount pivotally coupled to the base. The wheel mount has a first side adapted for rotatably receiving a wheel and an opposing second side. The pivotal coupling is located adjacent one of the edges of the bottom and the wheel mount is displaceable from

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a first position within the corresponding cavity to a second position where the second side of the wheel mount is contiguous at the bottom and the first side extends therefrom. The portable casing also includes two wheels respectively rotatably mounted to the first side of the corresponding wheel mount of the wheel holders.

In contradistinction, the Allison et al. reference is directed to a removable console having a pair of spring loaded wheels 70 mounted to the bottom 42 of the console 30. In particular, as shown in Figs. 20 and 25, the wheel assembly 190 is stored in a wheel compartment 198 formed in the bottom 42 of the console 30. The wheel assembly 190 is hingedly coupled to an open brace 200 and is biased by a spring 202.

Nowhere does the reference disclose or suggest forming the wheel cavities in one side of the body adjacent the bottom, wherein the pivotal coupling is located adjacent one of the edges of the bottom and the wheel mount is displaceable from a first position within the corresponding cavity to a second position where the second side of the wheel mount is contiguous the bottom and the first side extends therefrom, as now claimed.

As the reference fails to disclose each and every one of the elements of the invention of the subject Patent Application, as now claimed, it cannot anticipate that invention. Further, as the reference fails to suggest such a combination of elements, it cannot make obvious that invention either.

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For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, Art Unit #3618, facsimile number 571-273-8300 on the date shown below.

For: ROSENBERG, KLEIN & LEE


David I. KleinDate: 21 Nov. 2005